

220210
2009-397.T

State Of South Carolina

Re: Compliance Review Requested

Name of Motor Carrier

RICHARD JOHNSON
DBA JOHNSON MOVING

Action Taken:

Referred for a Compliance Review

Date: _____

Investigator: _____

Compliance Review Findings:


☒ Satisfactory

☐ Unsatisfactory

Terry W. Harty
Compliance Review Officers

100 SC
DOCK TAG STATE

South Carolina State Transport Police

	US DOT # 1882483	Legal: RICHARD JOHNSON Operating (DBA): JOHNSON MOVING		
MC/MX #:		Federal Tax ID:		
Review Type: Compliance Review (CR)				
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.		Territory:
Operation Types				
	Interstate	Intrastate		
Carrier:	N/A	Non-HM	Business: Individual	
Shipper:	N/A	N/A	Gross Revenue: \$15,000.00	
Cargo Tank:	N/A		for year ending: 11/3/2009	
Company Physical Address:				
195 Farmington Road Summerville, SC 29485				
Contact Name: Richard Johnson				
Phone numbers: (1) 843- 813-4113 (2) 843-277-9257 Fax 843-821-8685				
E-Mail Address: johnson.richard31@yahoo.com				
Company Mailing Address:				
195 Farmington Road Suite F Summerville, SC 29485				
Carrier Classification				
Other: not author				
Cargo Classification				
Household Goods				
Does carrier transport placardable quantities of HM? No				
Is an HM Permit required? N/A				
Driver Information				
	Inter	Intra		
< 100 Miles:		3	Average trip leased drivers/month: 0	
>= 100 Miles:			Total Drivers: 3	
			CDL Drivers: 0	
Equipment				
	Owned	Term Leased	Trip Leased	
Truck	0	1	0	
Power units used in the U.S.: 1				
Percentage of time used in the U.S.: 100				





JOHNSON MOVING (RICHARD JOHNSON dba)

U.S. DOT #: 1882483

Review Date:

11/03/2009

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

South Carolina State Transport Police, Motor Carrier Compliance Unit
10322 Wilson Blvd., Building D-2, PO Box 1993
Blythewood, SC 29016

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Richard M. Johnson

Title: Owner

Name:

Title:





JOHNSON MOVING (RICHARD JOHNSON dba)
U.S. DOT #: 1882483

Review Date:
11/03/2009

Part B Violations

1 STATE	Primary: 390.21(b) CFR Equivalent: 390.21(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
Description Failing to mark a commercial motor vehicle with the legal name or a single trade name and/or the USDOT identification number. Example Vehicle Number - 568927 - Trip Date - 11/2/2009.					
2 STATE	Primary: 391.21(a) CFR Equivalent: 391.21(a)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
Description Using a driver who has not completed and furnished an employment application. Example Driver - Cameron Bright - Trip Date - 11/2/2009.					
3 STATE	Primary: 391.23(a) CFR Equivalent: 391.23(a)	Discovered 3	Checked 3	Drivers/Vehicles In Violation 3	Checked 3
Description Failing to investigate driver's background. Example Driver - Cameron Bright - Trip Date - 11/2/2009.					
4 STATE	Primary: 396.21(b) CFR Equivalent: 396.21(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
Description Failing to retain periodic inspection report for 14 months from date of inspection. Example Vehicle Number - 568927 - Trip Date - 11/2/2009.					
Safety Fitness Rating Information: Total Miles Operated 500 Recordable Accidents 0		OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 1 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0			

Your proposed safety rating is :

This Review is not Rated.





JOHNSON MOVING (RICHARD JOHNSON dba)
U.S. DOT #: 1882483

Review Date:
11/03/2009

Part B Requirements and/or Recommendations

1. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm
2. Ensure that all vehicles are properly marked with your name or trade name and U.S. DOT number. If your vehicles are also periodically operating for other carriers, they must be marked with that carrier's name and U.S. DOT#.
3. Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.
4. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
5. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
6. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
7. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.
8. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
9. NOTICE: On March 30, 2004, FMCSA published a final rule requiring employers to review a candidate's safety performance history data within 30 days of hiring a new driver. The final rule enables prospective employers to obtain and use more complete driver safety performance history during the hiring process. Prospective employers will be required to, at a minimum, investigate a driver's employment information, accident record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

All previous employers are required to respond to the investigating employer within 30 days of receiving the investigation request.

Even though the final rule is effective April 29, 2004, motor carriers are not required to comply with the new rule until October 29, 2004. This 6-month period will allow motor carriers ample time to develop procedures and systems to implement this rule.

For more information on these regulations, please access the FMCSA Web site at www.fmcsa.dot.gov
<<http://www.fmcsa.dot.gov>>.

10.

Notice: On August 25, 2005, the FMCSA published a final rule revising the hours-of-service regulations for commercial motor vehicle drivers. The new federal hours of service (becomes effective on October 1, 2005, statutory requirements provide that FMCSA enforcement of the new HOS) regulations took effect October 1, 2005, which included changes to rule may only begin on October 25, 2005. FMCSA will provide the sleeper berth and short-haul provisions. These regulations only apply industry with a transitional period to properly adjust to the new HOS rules. The transitional period will be from October 1, 2005 and continue through December 31, 2005, and will allow carriers and commercial motor vehicle (cmv) drivers operating State enforcement agencies time to train their employees.





JOHNSON MOVING (RICHARD JOHNSON dba)

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Part B Requirements and/or Recommendations

From October 25, 2005 through December 31, 2005, FMCSA personnel will exercise discretion operating in interstate commerce. Passenger carriers and their drivers will continue operating under the pre-2003 rules while fatigue issues specific to the passenger carrier industry are assessed. Under the new rule, CMV drivers using the sleeper berth provision must take at least 8 consecutive hours enforcing the new rule. This is more fully explained hours in the sleeper berth, plus 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two. The 14-hour on-duty window may not be extended with off-duty time for meal and fuel stops, etc. The prohibition on driving after being on duty 60 hours in 7 consecutive days, or 70 hours in 8 consecutive days, remains the same, but drivers can "restart" the 7/8 day period anytime a driver has 34 consecutive hours off duty. For more information on these regulations, please access the FMCSA website at www.fmcsa.dot.gov.

STARVING STUDENTS

PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Notice of Claim. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review/inspection may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified Attachment A. FMCSA will also strongly encourage our State partners to you by the investigator. show comparable enforcement discretion.

11. All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities.

Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official.





JOHNSON MOVING (RICHARD JOHNSON dba)
U.S. DOT #: 1882483

Review Date:
11/03/2009

Part C

Reason for Review: Company Request
Planned Action: Compliance Monitoring
Safestat Category:

Parts Reviewed Certification:

325	382	383	387	390	391	392	393	395	396	397	398	399	171	172	173	177	178	180
			✓	✓	✓	✓	✓	✓	✓									

Prior Reviews

Prior Prosecutions

Unsat/Unfit Information

Is the motor carrier of passengers subject to the safety fitness procedures contained in 49 CFR part 385 subpart A, AND does it transport passengers in a commercial motor vehicle?

Does carrier transport placardable quantities of hazardous materials?

Unsat/Unfit rule:

Not Applicable

Corporate Contact: Richard M. Johnson

Corporate Contact Title: Owner

Special Study Information:

Remarks:

This investigation was initiated because the carrier was had applied to the South Carolina Public Service Commission for a Class (HHG) Household Goods Certificate. This certificate requires that the carrier be in compliance with the Federal Motor Carrier Safety Regulations as adopted by South Carolina and a intrastate compliance review was conducted. This investigation was started on 11/2/2009. Personnel present during the review were Richard Johnson, Owner. All records are kept at his principle place of business and provided within 48 hours. Johnson Moving has 3 non cdl drivers at this time and 1 leased straight truck with a gvwr. of 26,000 lbs. Parts 387, 390, 391, 392, 293, 395, and 396 were checked.

In Part 387, no violation found.

In Part 390, vehicle had not been marked with name and dot number.

In Part 391, applications were incomplete and driver previous employer check had not been completed.

In Part 392, no violations found.

In Part 393, one level 5 inspection was done with no OOS violations.

In Part 395, carrier is claiming the 100 air mile radius exemption and drivers are completing time cards.

In Part 396, Penske leasing was unable to obtain copy of the annual inspection form. Carrier has a current inspection on the truck.

Mr. Johnson was given several websites to obtain information.

Upload Authorized:	Yes	No
Authorized by:		Date:
Uploaded:	Yes	No
Verified by:		Failure Code:
		Date:



South Carolina State Transport Police



US DOT #
1882483

Legal: RICHARD JOHNSON
Operating (DBA): JOHNSON MOVING

MC/MX #:

Federal Tax ID:

Review Type: Compliance Review (CR) - Receipt

Scope: Principal Office

Location of Review/Audit: Company facility in the U. S.

Territory:

Operation Types Interstate Intrastate

Carrier: N/A Non-HM
Shipper: N/A N/A
Cargo Tank: N/A

Business: Individual

Gross Revenue: \$15,000.00

for year ending: 11/3/2009

Company Physical Address:

195 Farmington Road
Summerville, SC 29485

Contact Name: Richard Johnson

Phone numbers: (1) 843- 813-4113 (2) 843-277-9257

Fax 843-821-8685

E-Mail Address: johnson.richard31@yahoo.com

Company Mailing Address:

195 Farmington Road Suite F
Summerville, SC 29485

Report Summary

Report	# of Pages
Part A - General	2
Part B - Violations	1
Part B - Recommendations	2
Review/Audit Receipt Page	1
Total Pages	6

Disclaimer: By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit, however they have been discussed in detail with me.

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

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Blythewood, SC 29016

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Richard M. Johnson

Title: Owner

Name:

Title:

Reported By: *Terry W. Harvey*

Title: *S/F*

Code: SC0036 Date: 11/3/2009

Received By:

Title: *OWNER*



DRIVER/VEHICLE EXAMINATION REPORT



State Transport Police
PO Box 1993
<http://www.scdps.org>
Blythewood, SC 29016
Phone: (803)896-5500 Fax: (803)896-5526

Report Number: SCTH36000630
Inspection Date: 11/03/2009
Start Time: 10:17 AM End Time: 10:51 AM
Inspection Level: V - Terminal
HM Inspection Type: None

RICHARD JOHNSON
4242 CLUB COURSE DR
CHARLESTON, SC 29420
USDOT#: 01882483
MC/MX#: 678769
State#:
Location: 016
Highway:
County: DORCHESTER SC

Phone#: (843)813-4113
Fax#:

MilePost:
Origin:
Destination:

Driver:
License#:
Date of Birth:
CoDriver:
License#:
Date of Birth:
Shipper:
Bill of Lading:
Cargo:

VEHICLE IDENTIFICATION

Unit Type	Make	Year	State	Plate #	Company #	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	TR	INTL	2010	NC	ZD9162	568927	1HTMMAAL9AH167872	26,000		

BRAKE ADJUSTMENTS

Axis #	1	2
Right	N/A	N/A
Left	N/A	N/A
Chamber	HYDR	HYDR

VIOLATIONS

Section Code	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
390.21(b)	F	1	N		N	N	Carrier name and/or USDOT Number not displayed as required

HazMat: No HM Transported

Placard: No Cargo Tank:

Special Checks: No Data for Special Checks.

Signature Of Repairer X _____ Facility: _____ Date: _____

CARRIER CERTIFICATION: The undersigned certifies that all violations on this report have been corrected and action has been taken to assure compliance with the Federal Motor Carrier Safety and Hazardous Material Regulations insofar as they are applicable to motor carriers and drivers. This certification MUST BE SIGNED by the Motor Carrier and RETURNED WITHIN 15 days to the South Carolina State Transport Police, P O. Box 1993, Blythewood, South Carolina 29016

Signature Of Motor Carrier X _____ Title: _____ Date: _____

Report Prepared By:
TW HARVEY

Tw Harvey

Badge #:
36

Copy Received By:

[Signature]

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